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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,126	09/19/2005	Masaru Okada	F-8698	1063
28107 7590 08/18/2008 JORDAN AND HAMBURG LLP 122 EAST 42ND STREET SUITE 4000 NEW YORK, NY 10168				
EXAMINER				
BELOUSOV, ANDREY				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/550,126

Applicant(s)

OKADA ET AL.

Examiner

ANDREY BELOUSOV

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on April 22, 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to the original filing of April 22, 2008. Claims 1-14, and 16-22 are pending and have been considered below. Claim 15 has been cancelled.

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8-13, 16-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Opera (Opera, Version 6.0, Copyright (c) 1995-2001 Opera Software ASA, screenshots 1-6; and Keyboard Navigation in Opera for Windows, Copyright Jan 15, 2002; <http://web.archive.org/web/20020202140852/www.opera.com/windows/keyboard.html> pages 1-9 to show inherent features of keyboard navigation in Opera.)

Claim 1, 8: Opera discloses an executable browser program stored on a medium, said program comprising:

- a. a first browser program to overlap and display in a display area of a display a number of windows (e.g. three: active, previous, next; page 5 of 9) each corresponding to at least one of a plurality (e.g. 104 keys) of buttons provided on a remote control (keyboard, 1 of 9) to a content display apparatus (pg. 6);
- b. a second browser program portion to interpret a markup language document in each window to display at least a part of results of interpreting the markup language document in each window (pg. 6: Google start page); and
- c. a third browser program portion to switch which window has focus if one of the buttons (either button "1" or "2") on the remote control other than the button corresponding to a one of the windows that currently has focus is activated (page 5 of 9), by making active ("shows", page 5 of 9) and bringing in front (e.g. in cascade arrangement, page 5 of 9) of all other windows the window corresponding to the activated button.

Claim 2, 9: Opera discloses the browser program according to claim 1, wherein, if the button on the remote control corresponding to the one of windows that currently has the focus is activated ("3", page 3 of 9), the browser program switches between frames in the case where the markup language document displayed in the window that currently has the focus has a frame structure ("Next frame", page 3 of 9.)

Claim 3, 10: Opera discloses the browser program according to claim 1, wherein, if the button on the remote control corresponding to the window that currently has the focus is

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activated ("F2", page 2 of 9) the browser program generates and displays a URL input interface ("Enter a Web page address to go to", page 2 of 9) for having a new markup language document obtained by a user.

Claim 4, 11: Opera discloses the browser program according to claim 1, wherein, if the button on the remote control corresponding to the window that currently has the focus is activated, the browser program displays a history dialog (page 1-2 of 9.)

Claim 5, 12: Opera discloses the browser program according to claim 1, wherein, if the button on the remote control corresponding to the window that currently has the focus is activated (pg. 6: Hotlist), the browser program displays a bookmarked URL list (page 1 of 9.)

Claim 6, 13: Opera discloses the browser program according to claim 1, wherein, the remote control is separate and independent from a main unit of the content display apparatus (i.e. keyboard, page 1 of 9.)

Claim 16: Opera discloses the content display control apparatus according to claim 8, wherein, the display is externally connected (pg. 6.)

Claim 17, 20: Opera discloses an executable browser program stored on a computer-readable medium the program comprising:

- a. a first browser program portion to overlap and display in a display area of a display a number of windows (e.g. three: active, previous, next; page 5 of 9) each corresponding to at least one of a plurality (e.g. 104 keys) of buttons provided on a remote control (keyboard, 1 of 9) for a content display control apparatus (pg. 6);
- b. a second browser program portion to interpret a markup language document in each window to display at least a part of results of interpreting the markup language document in each window and further provide and constantly display tabs (pg. 6: tabs at the bottom of the display) for displaying contents of an opened markup language document in each window (pg. 6: Google start page); and
- c. a third browser program portion to switch which window has focus if one of the buttons (either button "1" or "2") on the remote control other than the button corresponding to a one of the windows that currently has focus is activated (page 5 of 9), by making active ("shows", page 5 of 9) and bringing in front (e.g. in cascade arrangement, page 5 of 9) of all other windows the window corresponding to this button, wherein
- d. if the number of the markup language documents currently opened by the browser program is smaller than the number of the windows, the browser program maintains a display of blank tabs which are the tabs of the windows not assigned to the currently open markup language documents (pg. 5.)

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Claim 18, 21: Opera discloses the browser program according to claim 17, wherein, the browser program displays a predetermined markup language document prepared in advance in the windows corresponding to the blank tabs (pg. 2.)

Claim 19, 22: Opera discloses the browser program according to claim 17, wherein, in the case of opening a new markup language document in a state in which the windows corresponding to the blank tabs exist, the browser program displays the new markup language document by using the windows corresponding to the blank tabs (pg. 6.)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Opera in view of Ryuhei (Patent: JP2001086423, App: JP19990255928 19990909.)

Claim 7, 14: Opera discloses the browser program according to claim 1, wherein, if at least a part of the markup language document displayed as the results of interpretation in the window that currently has the focus includes one or more focus elements, the browser program displays focus display information, when one of the focus elements is selected, indicating a selected focus element ("Focus", page 2 of 9.)

However, Opera does not explicitly disclose wherein the selected focus element is indicated in a window-corresponding color which is a color associated with the window that currently has the focus and determined to be different for each window. Ryuhei discloses a similar browser program for selecting between different programs by use of displayed focus elements which are in a corresponding colors associated with a program currently displayed and determined to be different for each program (Abstract, Fig. 4.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was to color code between selection elements and corresponding windows to improve similar devices of Opera and Ryuhei, as it would have been using a known technique of coloring coding of UI elements to improve similar devices of Opera and Ryuhei in the same way to achieve predictable results (See KSR v. Teleflex.)

Response to Arguments

5. Applicant's arguments with respect to claim 1-14, 16-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P Sax/
Primary Examiner, Art Unit 2174

AB
August 7, 2008